

REGISTER OF CLASSIFICATION DECISIONS

Title of Publication:	36
Other Known Title:	Not Stated
Format:	Computer Image File
Director/Author:	Not Applicable
Producer/Publisher:	Not Stated
Country of Origin:	Not Stated
Language:	Not Applicable
Applicant:	Commissioner of Police
Distributor:	Not Applicable
Classification:	Objectionable.
Descriptive Note:	Not Applicable
Display Conditions:	Not Applicable
Date of entry in Register:	27 September 2007
Date of direction to issue a label:	Not Applicable
OFLC No:	702025
Excisions:	Not Applicable
Reasons for excisions:	Not Applicable
Summary of reasons for classification:	The computer image file entitled 36 is classified as: Objectionable.

The publication is a computer image file that focuses on a pre-pubescent boy's nudity. The boy is posed in a sexually suggestive manner. For those with a sexual interest in children and inclined to see them as sexually arousing, the publication serves to legitimise and encourage that interest.

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of the classification criteria. The classification of this publication interferes with the freedom of expression, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children for sexual purposes.